

SCOTT COUNTY AREA PLAN COMMISSION

SUBDIVISION CONTROL ORDINANCE

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ARTICLE 1

BASIC PROVISIONS AND DEFINITIONS

ORDINANCE NO. _____ ORDINANCE NO. _____
(Scott County) (City of Scottsburg)

These regulations shall apply to all subdivisions of land situated anywhere within the City of Scottsburg or the unincorporated areas of Scott County. No subdivision shall occur except by a plat conforming to these regulations and to the Scott County Area Plan Commission Zoning District Regulations and approved by the Plan Commission. Governmental, utility or carriers by rails or roadway projects requiring numerous deeds and surveys may be exempted from the requirement by the Planning Commission.

Now be it ordained by the Board of County Commissioners of Scott County, Indiana and the Common Council of Scottsburg, Indiana pursuant to their authority under the laws of the State of Indiana, 36-7-4 et seq. thereto.

1.1 Title

This Ordinance shall be formally know as the “Scott County Area Plan Commission Subdivision Control Ordinance,” and it may be cited and referred to as the “Subdivision Control Ordinance”.

1.2 Defined Words

As used herein, the following terms are hereby defined:

- (1) ADT (average daily traffic) – The average number of vehicles per day that pass over a given point.
- (2) Agricultural Land – Agricultural land means a tract of land of at least five contiguous acres for the production of agricultural or horticultural crops including but not limited to livestock, livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetable, flowers or ornamental plants, including provisions for dwelling for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public.
- (3) Applicant – The owner of land proposed to be subdivided or its representative who shall have express written authority to act on behalf of the owner. Consent shall be required from the legal owner of the premises.

- 93 (4) Building Limit Line – A line delineating the area of the lot that may be
94 built upon, which may correspond with or be more restrictive than the
95 required yards of the applicable zoning district.
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- 97 (5) Cardinal Point – One of the four principal compass points – North, South,
98 East, or West.
99
- 100 (6) Commission – The Scott County Area Plan Commission.
101
- 102 (7) Common Open Space – Land within or related to a development, not
103 individual owned or dedicated for public use, which is designed and
104 intended for the common use or enjoyment of the residents of the
105 development. It may include complementary structures and
106 improvements.
107
- 108 (8) Concept Plan – A preliminary presentation and attendant documentation
109 of a proposed subdivision or site plan of sufficient accuracy to be used for
110 the purpose of discussion and classification.
111
- 112 (9) Construction Easement – A temporary easement to be acquired in order to
113 perform grading, sloping and other construction related activities outside
114 permanent dedicated easements and rights-of-way.
115
- 116 (10) Construction Plan – The maps or drawings accompanying a subdivision
117 plat and showing the specific location and design of improvements to be
118 installed for the subdivision in accordance with the requirements of this
119 Subdivision Control Ordinance.
120
- 121 (11) Contiguous – Lots are contiguous when at least one boundary line of one
122 lot touches a boundary line or lines of another lot.
123
- 124 (12) Easement – An authorization granted by a property owner for the use by
125 another of any designated part of his property for a clearly specified
126 purpose(s).
127
- 128 (13) Engineer – A person currently registered and licensed to practice
129 engineering by the Indiana Professional Licensing Agency.
130
- 131 (14) Engineering Representative – An individual or firm designated by the Plan
132 Commission, the City of Scottsburg, or the Scott County Commissioners.
133
- 134 (15) Flood plain – That land being defined by hydrologic studies done by a
135 registered engineer or hydrologist competent to perform such studies that
136 show that area which at some point could be inundated by water due to
137 flood conditions brought on by a one-hundred year storm or a storm
138 having a one percent chance of occurrence in any given year.

- (16) Land Surveyor – A person currently registered and licensed to practice land surveying by the Indiana Professional Licensing Agency.
- (17) Lot – A parcel of land created by the subdivision of an existing parcel of land.
- (18) Monument – A physical structure which marks the location of a corner or other survey point set in accordance with standards of the Indiana State Board of Registration for Professional Engineers and Land Surveyors.
- (19) Owner – Any person, group of persons, partnership, corporation, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.
- (20) Pedestrian Way – A right-of-way, dedicated to or set aside for public use, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.
- (21) Preliminary Plan – A drawing conforming to the requirements of Article 5 hereof.
- (22) Property Owners Association – An association or organization, whether or not incorporated, which operates under and pursuant to recorded covenants or deed restrictions, through which each owner of a portion of a subdivision – be it a lot, parcel site, unit plat, condominium, or any other interest – is automatically a member as a condition of ownership and each such member is subject to a charge or assessment for a pro-rated share or expense of the association which may become a lien against the lot, parcel, unit, condominium, or other interest of the member.
- (23) Public Improvement – Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, utility, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.
- (24) Record Plat – A plat for recordation in the office of the Recorder of Scott County and conforming to the requirements of Article 7 or Article 8 hereof.
- (25) Residual Tract – A lot created by a subdivision the total extent of which is not shown on the plat and having a minimum area of ten acres.

- (26) Resubdivision – Any change in a map of an approved or recorded subdivision plat that affects any street layout on the map or area reserved thereon for public use or any lot line, or that affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.
- (27) Right-of-Way – A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for any other special use. The usage of the term “right-of-way” for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Right-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.
- (28) Street – Any public way or legally created private way for vehicular traffic used as a means of access to lots abutting thereon, an including the following:
- (a) Arterial – A street primarily for through traffic, usually on a continuous route.
 - (b) Minor Arterial – A secondary way or highway for use primarily as a connector for arterials, minor arterials, or between a minor arterial and a collector.
 - (c) Collector – A street intended to move traffic from local streets and other collectors to the arterial street system. A collector street serves a neighborhood or large subdivision and should be designed so that no single-family residential properties face onto it.
 - (d) Local – A street used primarily for access to abutting property.
 - (e) Alley – A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.
 - (f) Cul-de-sac – A street ending in a turn-around and designed not to be extended and having a maximum length of 1,500 feet as measured from the nearest street intersection and serving no more than 30 units.

- (g) Stub street – A street usually ending at a property line which is designed to be extended in the future.
- (h) Through street – A local street or segment of a series of local streets which provides at least two separate points of access to a collector, arterial or another through street. All arterial and collector streets are designated as through streets.
- (i) Private street – Any legally created private way for vehicular traffic including, but not limited to, private roadways, access easements, easements for ingress and/or egress, etc.
- (29) Subdivider – Any person, individual, firm, partnership, association, corporation, trust or any other group or combination acting as a unit, submitting any subdivision of land to the Commission for approval.
- (30) Subdivision - Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, tracts, or interests including resubdivision. Subdivision includes the division or development of residentially or non-residentially zoned land.

1.3 Authority

This Subdivision Control Ordinance is adopted by Scott County and the City of Scottsburg pursuant to their authority under the laws of the State of Indiana, 36-7-4 et seq. Whenever codes cited in this Ordinance refer to the Indiana Code, which has been amended or superceded, this Ordinance shall be deemed amended in reference to the new or revised code.

1.4 Severability

If any provision or the application of any provision of this Ordinance is held unconstitutional or invalid by the courts, the remainder of the Ordinance or the application of such provision to other circumstances shall not be affected.

1.5 Interpretation

The provisions of this Ordinance are the minimum requirements necessary for the protection of the health, safety, comfort, morals, convenience and general welfare of the people at large. The provisions are also designed to establish and maintain reasonable community standards for the physical environment. If two or more provisions within this ordinance are in conflict or are inconsistent with one another, then the provision which is most restrictive shall control.

1.6 Ordinance Jurisdiction

This Ordinance applies to all land within Scott County and the City of Scottsburg, Indiana excluding the corporate limits of the Town of Austin.

1.7 Application

When this Ordinance along with private covenants, private contracts, commitments, permits, agreements, state laws, federal laws or other regulations regulates a structure or parcel of land, greater restriction shall control.

1.8 Saving Provision

This Ordinance shall not be construed as eliminating or reducing any action now pending under, or by virtue of, an existing law or previous Ordinance. Also, this Ordinance shall not be construed as discontinuing, reducing, modifying, or altering any penalty accruing or about to accrue.

1.9 Repealer

The Scott County Unified Subdivision Control Ordinance is hereby repealed. This Subdivision Control Ordinance replaces the repealed ordinance.

1.10 Transition Rules

Any application before the Commission that has been filed and is full and complete, prior to the effective date of this Ordinance, shall continue the process pursuant to the terms and conditions of the effective date of the Scott County Unified Subdivision Control Ordinance that were in place at the time of filing.

ARTICLE 2

PROCEDURE FOR SUBDIVISIONS

2.1 Optional Pre-Application

Prior to formal application for subdivision approval, the subdivider may present for discussion a sketch showing generally the boundaries of the proposed subdivision, the proposed street and lot pattern, dimensions, topography, proposed drainage pattern, north arrow, scale and any other pertinent information then know to the subdivider. The subdivider or his agent, or the staff of the Commission may request a conference to discuss the requirements of the Commission and of other public agencies, the improvements and uses of the subdivision and an potential problems involved in the proposed subdivision.

2.2 Preliminary Plan Approval Process

The subdivider must receive Commission approval of a preliminary plan in accordance with the following procedure:

- (1) Formal Application and Submission – The subdivider shall file a formal application for preliminary plan approval on a form supplied by the Commission and shall submit therewith a preliminary plan prepared in conformance with the requirements of Article 5 hereof. No application shall be accepted unless it is complete and accompanied by the appropriate review fee. The Commission staff may require submission of information, material and documents beyond that required in this article as necessary to determine compliance with these regulations.
- (2) Distribution of Plan – Upon receipt of the preliminary plan, the Commission staff shall submit copies to affected public agencies and utility companies and obtain a written report or approval on the plan from each such agency or company.
- (3) Staff Review – The Commission staff shall review the plan and shall consult with the affected public agencies and utility companies to resolve any problems raised by the proposed subdivision.
- (4) Commission Action – Within 90 days of receipt of the preliminary plan, the Commission shall take action on the preliminary plan and notify the subdivider in writing of its action. Commission action shall take one of the following forms:

- (a) Approval – The Commission may approve the preliminary plan as submitted. Approval of a preliminary plan shall be valid for one year from the date of approval.
- (b) Conditional Approval – The Commission may approve the preliminary plan conditionally and require amendments to the plan.
- (c) Postponement – The Commission may postpone its decision pending further study of the plat, but in no event shall its decision be postponed more than 150 days after submission of the plat.
- (d) Disapproval – The Commission may disapprove a plat and shall state in writing its reasons for disapproval. The subdivider must then reapply if he wishes to create the subdivision.

2.3 Construction Plans

No construction of improvements for a subdivision shall begin until the subdivider has obtained a work order from the Commission Director, and no work order shall be issued except in accordance with an approved construction plan in accordance with the following procedure:

- (1) Time Limit – The construction plans shall be submitted to the Commission within one year of approval of the preliminary plan.
- (2) Preparation – The subdivider shall have the construction plans prepared by an Engineer and/or Land Surveyor in conformance with the requirements herein and any variances and/or waivers that have received prior Commission approval.
- (3) Submission to Other Agencies – The subdivider shall submit that part of the construction plans for approval and/or comment by interested agencies which shall consist of the agencies listed below. The subdivider shall be responsible for obtaining written approval and/or comments from the interested agencies. The subdivider shall provide copies of written approvals/comments to the Commission Director.
 - (a) Scott County Engineering Representative.
 - (b) Scottsburg Engineering Representative.
 - (c) The fire chief of the district having jurisdiction over property.
 - (d) Scott County Health Department. Lots that are to be served by a septic tank or other means of on-lot sewage disposal shall meet the requirements of the Scott County Health Department and the Indiana State Board of Health. Prior to Commission approval of

either construction plans or record plat, the developer must obtain written approval from the Scott County Health Department for any lots that are to be served by septic tank or other means of on-lot sewage disposal. A soil surveys prepared by an Indiana Licensed Soil Scientist must be submitted for each lot to be served by a septic tank or other means of on-lot sewage disposal. The Commission may not waive this requirement.

- (e) Parent utility companies providing water, gas, electricity, and telephone service to the subdivision.
- (f) Scott County Regional Sewer District.
- (g) If the proposed subdivision abuts on a street maintained by the State of Indiana, then to the district engineer for the Indiana Department of Transportation.

- (4) Commission Action – Following notification of approval of the construction plans by interested agencies the Commission shall take action and shall notify the subdivider in writing within 90 days of their action. The action of the Commission shall take one of the following forms:

- (a) Approval – The construction plans may be approved as submitted. Approval of the plans shall be valid for one year. Construction may not proceed without a work order issued by the Commission Director in accordance with the approved plans. The subdivider's request for a work order shall be on five working days notice to the Commission Director of the subdivider's intention to being construction.
- (b) Disapproval – The construction plans may be disapproved and the Commission shall state, in writing if requested by the subdivider, its reasons for disapproval. The subdivider must then submit new construction plans if he wishes to create the subdivision.

It is a condition of the issuance of a work order that the property and operations on it be open to inspection by the Commission Director and authorized agents or representatives at all times and that the subdivider and his agents shall abide by any order of said agents for the purpose of assuring conformance with approved plans.

2.4 Record Plat

Before transferring title to any portion of a subdivision a record plat must be recorded. The subdivider shall obtain Commission approval to be shown on the record plat prior to its recording. Approval may be obtained in accordance with the following procedures:

- (1) Formal Application and Submission – The subdivider shall file formal application for subdivision approval on a form supplied by the

Commission and shall submit therewith a record plat prepared by a Land Surveyor in conformance with the requirements herein. If application for a record plat cannot be submitted within one year of construction plan approval, extension of expiration date must be requested and obtained from the Commission.

- (2) Commission Action – Within 90 days of receipt of the record plat, the Commission shall take action on the plat and notify the subdivider in writing of its action. Commission action shall take one of the following forms:
- (a) Approval – The Commission may approve the plat as submitted. The Commission shall certify its approval on the face of the plat so that it may be recorded in the office of the Recorder of Scott County.
 - (b) Conditional Approval – The Commission may approve the plat conditionally and require amendments to the plat before granting full approval. If the subdivider does not submit an acceptable amended plat within 90 days of submission of the original plat, the plat shall be deemed to be disapproved by the Commission.
 - (c) Postponement – The Commission may postpone its decision pending further study of the plat, but in no event shall its decision be postponed more than 90 days after submission of the plat.
 - (d) Disapproval – The Commission may disapprove a plat and shall state in writing its reasons for disapproval. The subdivider must then reapply if he wishes to create the subdivision.

2.5 Subdivider's Commitment and Bond Requirement

Before Commission approval may be shown on the record plat for recording, the subdivider shall deliver to the Commission staff the following items:

- (1) Subdivider's Commitment – The subdivider shall be responsible for the installation, good repair and proper functioning of all improvements required by the approved construction plan and the installation of all reference monuments required by the record plat. Installation shall begin within a year after approval of the record plat and shall proceed in a manner that does not cause unreasonable harm, inconvenience or annoyance to any property owner in or outside of the subdivision.
- (2) Security Required – There shall be filed with the Commission a performance bond in types of instruments approved by the Commission

and amounts determined by the Commission to insure fulfillment of the subdivider's commitment as set out above. Reduction of bond requirements shall not alter the subdivider's liability for fulfilling his obligations.

The Commission at any time, if recommended by the Commission Director may reduce the amount of bond. No bond shall be reduced below an amount necessary to insure the installation of remaining improvements and the good repair and proper functioning of all improvements at the time when 80% of the lots shown on the record plat have primary structures built on them and appropriate measures taken to prevent erosion and siltation.

A subdivider may request a release from responsibility for the good repair and proper functioning of required improvements by the Commission in accordance with the following procedures:

- (1) Construction Approval – A written request for release shall be submitted to the Commission Director with copies sent to the agencies and/or officials from whom construction plan approval was required to be obtained. This release may be requested after primary buildings have been built on 80% of all lots shown on the record plat and the public improvements (except sidewalks on unimproved lots) have been installed in a good and workmanlike manner and are functioning in accordance with the approved construction plans.
- (2) Upon receipt of a request from a subdivider the appropriate agency/official must inspect the subdivision and inform the subdivider in writing of approval or disapproval. If the subdivider disagrees with the written comments received an appeal may be filed with the Commission.
- (3) Upon obtaining a written release from all appropriate agencies/officials, the Commission Director may release the subdivision bond completely or reduce the bond to an amount necessary to insure the installation of sidewalks, related drainage and any other right-of-way and easements improvements. This bond shall be considered as if it were a separate bond designed solely for that purpose to be released by the approval of the Commission Director the approval of the appropriate agencies.
- (4) The 80% figure related to above may be increased or reduced by the Commission at any time for good cause shown after recommendations from the Commission Director.

A builder on any lot in the subdivision shall be responsible for the good repair and proper functioning of all installed improvements required by the approved construction plans and installed reference monuments required by the record plat and shall proceed with construction in a manner which does not cause unreasonable harm, inconvenience or annoyance to any other property owner in or outside of the subdivision.

The builder of each lot in a subdivision is required to grade the lot so that all storm water drainage from the lot is directed to a public drainage facility in an easement or right-of way.

If, at any time following the period allowed to the subdivider to complete his obligations, the Commission Director finds that the required improvements and reference monuments have not been installed or that they are not in good repair or that they are not functioning properly and also find that it does not appear to his satisfaction that they will be completed within a reasonable time considering the potential for harm, inconvenience or annoyance to others, he shall recommend that the Commission declare the obligation of the subdivider, as well as the obligation of any others who may appear to him to be responsible, to be in default

Upon declaration of default, the Commission Director shall collect such amounts from bonds or otherwise as is required to remedy the default. In the event that amounts available from bonds are sufficient to cover costs of remedying the default, such bonds shall be collected and used in full or in such proportion as the Commission Director determines to be just and equitable based up apparent responsibility therefore. Anyone claiming to be aggrieved by such determination shall have as his exclusive remedy a cause of action for contribution or indemnity against the parties responsible for the default. The determination of the Commission Director shall not be used as evidence in support of or against responsibility in such cause of action, and he shall not be made a party thereto.

ARTICLE 3

STANDARDS OF DESIGN FOR SUBDIVISION

3.1 Streets

All new streets located in or adjoining any subdivision of land hereafter proposed shall conform to the following standards of design:

(1) Location

- (a) New streets shall be so related to the topography and to existing streets as to promote the public convenience and safety and to facilitate the proper use of land they are constructed to serve.
- (b) A proposed street shall recognize and extend the plan and profile of off-site existing streets, and shall make possible the future extension of streets in to adjacent undeveloped land.
- (c) Street jogs with centerline offset of less than 150 feet shall be avoided.
- (d) Proposed developments with an aggregate of 200 or more single family or multi-family units shall have at least two separate access roadways connecting directly to existing public roadways.
- (e) Access from new lots or a new street connecting an existing street shall not be approved unless the existing street has adequate pavement width to provide for ingress and egress to the proposed development.

(2) Grade – No street grade shall be less than one percent nor more than ten percent, unless a different grade is expressly approved by the Plan Commission because of special topographical conditions.

(3) Alignment – The alignment of all streets shall be related to the centerline and shall be as follows, unless a different alignment is required by the Plan Commission because of special topographical considerations or sound engineering practices:

- (a) Minor Arterials and Collectors – the radius of all horizontal curves shall be at least 573 feet and horizontal curves shall have a desired stopping sight distance of 325 feet with the minimum stopping sight distance of 275 feet. All vertical crest and sag curves shall conform to the formula $L=KA$. The desired K value shall be 80

with a minimum K value of 55. The design of the horizontal and vertical curves may vary based on the design speed of the roadway as determined by the Commission Director.

(b) Local and Cul-de-sac Streets – All local and cul-de-sac streets shall be related to the topography of the subdivision and shall generally tend to discourage fast or through traffic.

(4) Width – The pavement and right-of-way width of all streets shall be governed by Article 4 hereof.

(5) Ending – No street shall extend more than 1,500 feet beyond the nearest intersection or intermediate turnaround. Except in the case of marginal access streets or streets having no lots fronting on them, all streets shall end in an intersection with another street or in a cul-de-sac or stub at the property line of the subdivision.

3.2 Street Intersections

All new street intersections located in or adjoining any subdivision of land hereafter proposed shall conform to the following standards of design:

(1) Number of Approaches – Intersections involving more than four basic street legs or approaches shall be prohibited. Merging lanes, deceleration lands, “Y” intersections, and traffic circles are not included in this prohibition, but are considered as being parts of one street leg or approach.

(2) Angle of Intersection – For a tangent distance of at least one hundred feet, measured from the intersection of right-of-way lines, all streets shall intersect at an angle of ninety degrees, where practical, but in no case shall the angle be less than seventy-five degrees.

(3) Intersection Offset – Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of one hundred fifty feet between their centerlines.

(4) Intersection Spacing – All local and cul-de-sac streets intersection with and entering the same side of other collector, local or cul-de-sac streets shall be located at least two hundred feet apart, measured from centerline to centerline. All other streets intersection with and entering the same side of any other street shall be located at least five hundred feet apart, measured from centerline to centerline, unless a closer spacing is expressly approved by the Commission to promote the public convenience and safety and to facilitate the proper use of the surround land.

- (5) Grades at Intersections – where the grades of any street at the approach to an intersection exceeds three percent, a leveling area shall be provided, having not greater than a three percent grade for a distance of fifty feet from the intersection of the street centerline. A sag immediately adjacent to the intersecting street and a vertical curve shall be used to connect the intersection grades.
- (6) Corner Radii – The minimum radii at the pavement edge, or the back of the curb where required, shall be twenty feet for all street intersections, unless a different figure is expressly approved by the Plan Commission because of special topographical considerations or sound engineering practices. The minimum radii at the property line shall be fifteen feet for all street intersections, unless a different figure is expressly approved by the Commission because of special topographical considerations or sound engineering practices.

3.3 Blocks

All new blocks created by any subdivision of land hereafter proposed shall conform to the following standards of design:

- (1) Residential Blocks – Intersecting streets, which determine the length and width of blocks, shall conform to Section 3.2 hereof and shall be provided at such intervals as are necessary to facilitate safe and convenient vehicular and pedestrian traffic. All residential blocks shall be no less than 500 and no more than 1,600 feet in length and shall be sufficiently wide to allow two tiers of lots of appropriate depth under applicable zoning regulations, unless another length or width is expressly approved by the Commission because of special topographical or traffic considerations.
- (2) Pedestrian Access – Pedestrian walkways not within street right-of-way may be required within residential or non-residential blocks where necessary to improve pedestrian circulation by providing more convenient access to schools, parks, shopping, etc., than is possible by sidewalks within the street right-of-way. Pedestrian walkways shall have an easement width of at least ten feet.
- (3) Mid-block Walkways – When residential blocks are over 1,000 feet in length, a walkway bisecting the block and dedicated to public use not less than ten feet wide, may be required to provide proper access to schools, playgrounds, shopping centers and other facilities.

3.4 Lots

All new lots created by any subdivision of land hereafter proposed shall conform to the minimum requirements of the applicable zoning regulations and shall also conform to the following standards of design:

- (1) Shape of Lots – Excessive depth in relation to width shall be avoided with a proportion of 2 to 1 normally being considered as a desirable maximum for lot width of sixty feet or greater. Pointed or very irregularly shaped lots shall be avoided where possible. Additional depth or landscaping may be required on lots that back up to railroads, streets, or other conflicting land uses. An additional ten-foot building limit may be required on lots fronting on arterials, minor arterials and collector level roadways.

Direct access to arterial, minor arterials and collector level roadways from single-family lots is prohibited.

- (2) Access – All lots for detached houses shall abut a public street for at least twenty-five feet, except upon curved street sections, such as cul-de-sacs, where the lots may abut the street for less than twenty-five feet, provided they shall have readily apparent physical means of pedestrian and vehicular access from the lots onto the street. In no event shall the width of a lot for a detached house be less than fifty feet at the building line.

- (3) On Lot Sewage Disposal Systems – Lots that are to be served by a septic tank or other means of on-lot sewage disposal shall meet the requirements of the Scott County Health Department and the Indiana State Board of Health. Prior to Commission approval of either construction plans or record plat, the developer must obtain written approval from the Scott County Health Department for any lots that are to be served by septic tank or other means of on-lot sewage disposal. A soil surveys prepared by an Indiana Licensed Soil Scientist must be submitted for each lot to be served by a septic tank or other means of on-lot sewage disposal. The Commission may not waive this requirement.

- (4) Large Lots – In case of unusual soil conditions or physical factors which may impair the health and safety of the neighborhood in which a subdivision may be located, the Commission may increase lot area requirements as necessary.

3.5 Easements

All easements shall be dedicated and shall conform to the following standards of design:

- (1) Utility Easements – An easement for utilities, at least ten-feet wide, may be required along any lot line or across lots whenever necessary to provide for extension of utility lines.

- (2) Slope Easements – Whenever a proposed subdivision affects an existing or proposed road in such a way that will necessitate cuts and fills in adjoining property, slope easements on such adjoining property shall be required.
- (3) Sewer and Drainage Easement – Whenever necessary, sewer and drainage easements shall be provided.

3.6 Public Areas

Where a park, school, playground, pedestrian walkway, or areas for other public uses shall be provided in the subdivision, such areas should either be dedicated to the proper public agency or it should be reserved for acquisition by such agency within one year.

3.7 Development Standards

Zoning District	A	R-1	R-2	LB	GB	I	FP
Minimum Lot Area	5 Acres	8,400 square feet	10,800 square feet	10,800 square feet	10,800 square feet	2 acres	10,800 square feet
Minimum Lot Width	70 feet	70 feet	90 feet	90 feet	90 feet	200 feet	70 feet
Maximum Lot Depth	N/A	2.5 times the Lot Width	2.5 times the Lot Width	2.5 times the Lot Width	2.5 times the Lot Width	3 times the Lot Width	2.5 times the Lot Width
Minimum Lot Frontage	50 feet on a public street with access from public street	50 feet on a public street with access from public street	50 feet on a public street with access from public street	70 feet on a public street with access from public street	70 feet on a public street with access from public street	100 feet on a public street with access from public street	50 feet on a public street with access from public street

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Zoning District	A	R-1	R-2	LB	GB	I	FP
Minimum Front Yard Setback	35 feet	35 feet	35feet	35 feet	35 feet	35 feet	35 feet
Minimum Side Yard Setback	10% of the lot width for side yard to any structure	10% of the lot width for side yard to any structure	10% of the lot width for side yard to any structure	25 feet (see Note 1)	25 feet (see Note 1)	30 feet (see Note 1)	10% of the lot width for side yard to any structure
Minimum Rear Yard Setback	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Maximum Lot Coverage	Total square footage of all impervious surface < 35%	Total square footage of all impervious surface < 35%	Total square footage of all impervious surface < 40%	Total square footage of all impervious surface < 65%	Total square footage of all impervious surface < 70%	Total square footage of all impervious surface < 60%	Total square footage of all impervious surface < 35%
Minimum Main Floor Area	900 square feet total, 720 square feet first floor	900 square feet total, 720 square feet first floor	900 square feet total, 720 square feet first floor	1,000 square feet	5,000 square feet	10,000 square feet	900 square feet total, 720 square feet first floor
Maximum Structure Height	35 feet primary structure, 18 feet accessory structure	35 feet primary structure 18 feet accessory structure	35 feet primary structure 18 feet accessory structure	35 feet primary structure 18 feet accessory structure	60 feet primary structure 18 feet accessory structure	60 feet primary structure 35 feet accessory structure	35 feet primary structure 18 feet accessory structure

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798 Note 1: Side yard shall not be required unless a lot abuts a R district in which case the
 799 side yard requirement for the R district shall apply.

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ARTICLE 4

MINIMUM IMPROVEMENTS FOR SUBDIVISIONS**4.1 Required Physical Improvements**

In any subdivision of land hereafter proposed, the subdivider shall make all dedications and complete all required physical improvements as required in the following tables before the Commission may approve the construction or take any action predicated upon its approval.

Minimum Physical Improvements**Within the City of Scottsburg**

Zoning District	Major Arterial	Minor Arterial	Collector Street	Local Street	Cul-De-Sac Street
A	NA	NA	NA	NA	NA
R-1	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS
R-2	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS
LB	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS
GB	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS
I	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS
FP	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS

Key

NA	Not Applicable
CG	Curb and Gutter required
P (feet)	Pavement Width
R (feet)	Right-of-Way Width
SS	Sidewalks Required Both Sides

Minimum Physical Improvements**Outside the City of Scottsburg**

Zoning District	Major Arterial	Minor Arterial	Collector Street	Local Street	Cul-De-Sac Street
A	NA	NA	NA	NA	NA
R-1	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS
R-2	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS
LB	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS
GB	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS
I	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS
FP	CG/P48 R100/SS	CG/P48 R80/SS	CG/P36 R60/SS	CG/P24 R50/SS	CG/P24 R50/SS

Notes:

1. Requirement for curb and gutter and sidewalk may be waived by the Plan Commission.

Key

NA	Not Applicable
CG	Curb and Gutter required
P (feet)	Pavement Width
R (feet)	Right-of-Way Width
SS	Sidewalks Required Both Sides

4.2 Specifications, Materials and Methods

- (1) General – The construction plans showing materials, methods of construction and detailed specifications for all required physical improvements shall be submitted to and approved by the Commission before construction is begun.
- (2) Materials – The subdivider’s Engineer and/or Land Surveyor shall be guided by sound professional practices in the selection of materials for street construction and other physical improvements. Wearing surfaces should be limited to high-type asphalt or portland cement concrete. Base

courses may be of, but not limited to, the following: portland cement concrete; not mixed asphaltic concrete; crushed limestone; stabilization of acceptable soils with soil-cement; asphalt, lime or other recognized materials or combinations thereof. Sub-base stabilization with recognized materials may also be used.

- (3) Design Standards – The Engineer and/or Land Surveyor designing the subdivision and the approving agencies shall be guided by recognized procedures for determining adequacy of the various structures. Examples and guidelines are as follows:
- (a) Drainage – Indiana Department of Transportation design criteria will be acceptable for determining hydraulic adequacy of drainage facilities.
 - (b) Structures – Design shall be by acceptable methods using American Association of State Highway and Transportation Officials design loading as follows:
 - (c) Street Pavement and Base – Design methods suggested by, but not limited to, trade associations, such as Asphalt Institute, Portland Cement Association, National Limestone Institute, and others shall be used. The following basic elements shall be considered: soil characteristics, design life, traffic usage, material strengths and provisions for maintenance.
 - (d) Pavement Design Criteria – Pavement design for all street classifications shall conform to current accepted pavement design standards.
- (4) Construction Specifications – The construction plans shall include complete specifications to guide construction and fully explain the intent of the drawings. Because of general familiarity by contractors, the current edition of the Indiana Department of Transportation Standards and Specifications may be incorporated by reference to the extent applicable; or separate detail specifications may be written to satisfy the conditions. In any event, complete specifications shall be provided which should include, but not be limited to the following:
- (a) Materials and requirements for acceptance.
 - (b) Methods of construction, and
 - (c) Basis for acceptance or rejection of the project.

4.3 Utility Services

Before the record plat is approved, or alternatively, before the performance bond is released, the subdivider shall obtain installation of all utility services required hereunder.

- (1) Water Supply – All subdivisions shall be provided with a complete water distribution system from an approved public water system.
- (2) Fire Hydrants – Fire hydrants shall be provided at intervals of no more than 600 feet, unless the Commission because of special land use or density considerations expressly approves a different spacing. All fire hydrants and water lines shall be in accordance with the standards of the serving fire department.
- (3) Power Supply – All subdivisions hereafter proposed shall be provided with an adequate power supply system.

4.4 Reference Monuments

Before the record plat is recorded, the subdivider shall install permanent reference monuments. The reference monuments shall be installed at all points of change in direction of all exterior boundary lines of the subdivision or subdivision section. Monuments shall be installed at all control points of the roadway at the right-of-way lines of the subdivision or subdivision section. These points shall include but not limited to PC (point of curvature), PT (point of tangency), PI (point of intersection), and POT (point of tangent). Every monument set by a Land Surveyor shall be of a substantial size and shall be made of durable materials and shall include an element that makes it possible to detect the monument by means of some device for finding ferrous or magnetic objects. All monuments set by a Land Surveyor shall bear their registration number on a metallic cap or identifier.

Before the Performance Bond is released, the reference monuments shall be installed at all points of change in direction of all exterior boundary lines of the subdivision or subdivision section. Monuments shall be installed at all control points of the roadway at the right-of-way lines of the subdivision or subdivision section. These points shall include but not limited to PC (point of curvature), PT (point of tangency), PI (point of intersection), and POT (point on tangent). These monuments shall conform to the standards set out above.

ARTICLE 5

PRELIMINARY PLAN FOR SUBDIVISIONS

5.1 Format and Materials

The preliminary plan shall be drawn on paper or other media approved by Commission staff at a scale of not more than one hundred feet to the inch. Sufficient copies, as required by the Commission’s application process, shall be submitted by the subdivider. The plan shall contain the seal and original signature of the Engineer and/or Land Surveyor who prepared the plan.

5.2 Legend Information

The preliminary plan shall contain a “key/interpretive guide” to symbols used in the plan.

5.3 Easements and Public Areas

The preliminary plan shall show:

- (1) The proposed street layout for the subdivision including right-of-way width, curve radius, ingress and egress, and temporary street names.
- (2) The names and locations of all existing streets and easements located in and adjacent to the subdivision. Identify all existing entrances and drives and indicate proximity to proposed subdivision entrance.
- (3) The location of existing utility easements and structures in the subdivision, and at the entrance(s) to the subdivision. The location of proposed sewer and drainage easements in the subdivision. Identify existing fire hydrant locations within 400 feet of the proposed development.
- (4) The location of existing and proposed parks, tree masses, public spaces, common open spaces, retention basins and drainage easements. Identify existing railroads, cemeteries, buildings and governmental boundaries, if any, in the subdivision.
- (5) Features on adjacent property which might affect the design of the subdivision.
- (6) Designated landscape buffer areas.

5.4 General Information

The preliminary plan shall show:





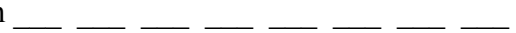


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- (1) The name(s) of property owner(s) and the tax block(s) and lot number(s) for all parcels that are contained within the boundaries of the proposed subdivision as identified from current tax maps and records.
 - (2) The boundaries of the proposed subdivision.
 - (3) Lot layout for the subdivision including lot numbers, front and street side building limit lines if different than the required yards of the zoning district, and dimensions.
 - (4) The location, ownership, deed book and page number of all adjoining property.
 - (5) Elevation and description of the bench mark used.
 - (6) A north arrow, written and graphic scale.
 - (7) Existing contours at intervals of not more than two feet based on field data referred to U.S.G.S. sea level datum in sufficient detail to show the general character of the land.
 - (8) Portions of the site having slopes of 20% or greater, and 30% or greater.
 - (9) A preliminary grading plan.
 - (10) The proposed use of all the land in the subdivision, including reserved areas and the acreage of each.
 - (11) A key map showing the relative location of the proposed subdivision to the nearest existing arterial street intersection, present and future traffic classifications, and future extensions if stub streets are planned.
 - (12) Existing streams, flood plains, and drainage facilities, and a description of the proposed drainage facilities, including downstream drainage.
 - (13) Maximum grade of all roads. All roadway grades in excess of 10% shall have roadway profiles and cross-section at 50 foot intervals submitted with preliminary subdivision plans.
 - (14) Gross and net acreage and density.
 - (15) Zoning district(s).

5.5 Title Block

The preliminary plan shall contain a title block in the lower right hand corner of the plan, showing the title of the proposed subdivision, the name and address of the owner, the name and address of the subdivider, the name and address of the person or firm preparing the plan, date of preparation, the scale, and date of all revisions. The title block shall also contain current and proposed zoning and total number of lots.

5.6 Graphics

The following lines and symbols shall be used when drawing the preliminary plan:

Heavy, solid		Enclosing all land included in the subdivision and any existing lot lines to remain
Medium, solid		Proposed lot lines of new tract or lot
Light, solid		Street or right-of-way lines And adjoining property line stubs
Light, dot-dash		Center lines of streets or rights-of-way
Light, short-dash		Easement boundaries
Tie-lines		Showing proposed consolidation of lots or parcels to form new tracts and any existing lot lines to be removed
Line breaks		Used to shorten straight lines on plat

ARTICLE 6

CONSTRUCTION PLAN FOR SUBDIVISIONS

6.1 Format and Materials

The construction plans shall be drawn on paper, cloth, or plastic film on standard plan and profile sheets 24" X 36".

6.2 Cover sheet

The construction plan shall include a cover sheet containing:

- (1) A key map, showing the relative location of the proposed subdivision to the nearest existing arterial street intersection.
- (2) A title block, showing the title of the subdivision, the name and address of the owner, the name and address of the subdivider, the name and address of the engineer or engineering firm preparing the plan, the date of preparation, the scale, a graphic scale and the date of all revisions.
- (3) An original engineer's seal and signature.

6.3 Approved Preliminary Plan

The construction plans shall include a copy of the approved preliminary plan.

6.4 Composite Drainage Plan

The construction plan shall include a composite drainage plan showing all improvements, including all proposed streets, easements, parks, storms sewers, ditches, hydraulic calculations, reserved areas and lot drainage and existing drainage areas designated in acres contiguous to the subdivision. This plan shall bear the engineer's seal and signature.

6.5 Plan View and Profile

The construction plan shall include a plan view and profile of all streets, ditches and swales in easements, paved rights-of-way and special ditches, and details of all structures, which are a part of the physical improvement sin the subdivision. The plan view and profile shall include as many sheets as are necessary to show adequately all improvements. Each sheet shall contain a plan view and a profile, and it shall show the page number and the number of pages. Each sheet shall contain the seal and signature of the Engineer and/or Land Surveyor responsible for the design.

- (1) The plan view shall show:
- (a) The title of the subdivision
 - (b) The north point
 - (c) The latest revision date
 - (d) The name or designation and right-of-way and pavement widths of each street
 - (e) The centerline of each proposed street, with stationing to one-hundredths of a foot at points of intersection; points of tangents, points of curves and street intersection, together with deflection angles, degree of curves, radii of curves, subtangent lengths and lengths of curves.
 - (f) All proposed drainage structures, including manholes, catch basins, junction boxes, pipe storm drains, ditches and other drainage facilities, including headwalls.
 - (g) The size, type and location of existing and proposed easements.
 - (h) Landscape buffer area and landscaping materials
 - (i) Location of bench marks with elevations referred to U.S.G.S. sea level datum
 - (j) A typical section of road
 - (k) Adjoining streets, drainage ways, or drainage structures affecting the design of the subdivision
 - (l) Details of structures requiring special design
 - (m) Soundings if required
- (2) The profile shall show:
- (a) Proposed road grades, designated by solid lines, with percent of grade and lengths of vertical curves.
 - (b) The elevations of proposed road grades to one-hundredths of a foot every 100 feet on uniform grades, every fifty feet on vertical curves, and at the center of all street intersections.

- (c) The elevations and grades, of proposed roadway ditches not conforming to road grades.
- (d) The elevations, length and grades of other existing and proposed ditches, drainage structures, manholes, catch basins, junction boxes, pipe storm drains, and other drainage facilities, including headwalls.
- (e) Stationing, to be shown along the bottom of each sheet.
- (f) The original ground and final grade elevations, lettered at the proper station along the bottom of each sheet.
- (g) The profile and stationing of adjoining roads, and all pertinent information on the alteration of all existing ditches or drainage.
- (h) Cross section of proposed ditches

6.6 Cross Sections and Details

The construction plan shall include:

- (1) Cross Sections of proposed roadways at intervals of fifty feet or the equivalent thereof where special conditions exist as requested by the Director of Public Works.
- (2) Cross sections at five foot intervals on the abutting existing roadways showing roadways, existing ditches, proposed ditches, and proposed sidewalks locations.
- (3) Details of typical catch basins, manholes, drainage structures, junction boxes, and other incidental structures

6.7 Certificate of Engineer/Land Surveyor

Upon completion of all improvements the subdivider's Engineer and/or Land Surveyor shall submit a certificate in compliance with Article 9 hereof.

ARTICLE 7

RECORD PLAT FOR SUBDIVISIONS

7.1 Format and Materials

The record plat shall be prepared and certified by a Land Surveyor and shall be drawn with waterproof ink or photographed on permanent reproducible material at a scale of not more than one hundred feet to the inch or a computer generated plat with lines and symbols equivalent in weight to those required in Section 7.70. If more than one sheet is required, a key plat shall be shown on all sheets. The original and two prints shall be submitted to the Commission. No sheet of the record plat may exceed 24 inches by 36 inches, unless the County Recorder has agreed in writing to record it, if approved by the Commission. A two-inch by three-inch space shall be reversed in the lower right hand corner for the clerk's stamp.

The record plat shall be in conformance with the approved preliminary plan. If the record plat is not recorded within one year of the construction plans approval date, the developer may request a one-year extension of expiration date for the construction plans. The developer shall submit in writing a letter justifying the request for extension. The Commission may grant requests for extension of expiration date if the Commission finds that exceptional circumstances or extraordinary hardship justify such requests.

7.2 General Information

- (1) All dimensions shall be expressed in U.S. Survey feet and decimals of a foot.
- (2) Number of lots, written and graphic scale, a north arrow, designated meridian, and building limit lines shall be shown.
- (3) All distances and angles shall be drawn large enough to be legible after photo-reduction of the plat by 50%.

7.3 Easements and Public Areas

The record plat shall show the names, location and widths of all streets and other areas to be dedicated to the public use and all easements to be dedicated for the installation and maintenance of utilities, all fully dimensioned, showing the angles of intersection of streets and the radii, chords, point of tangency, sub-tangent lengths and central angles for all curvilinear streets, and the radii of all rounded corners, and shall also contain notations concerning the dedication, reservation and use of such public areas and easements and reference to the status of such areas adjacent to the subdivision.

All private streets, frontage roads or ingress/egress easements providing vehicular access to residential, commercial, industrial, or other properties or buildings and/or do not have

public roadway frontage shall be named on the record plat. All public streets shall be named on the record plat. A street which is obviously a continuation of an existing street shall bear its name. No street name shall duplicate or closely approximate the name of an existing street in Scott County.

7.4 Required Information – The record plat shall show:

- (1) The boundaries of the property proposed for subdivision, including all bearings and dimensions as determined by an accurate survey in the field, the name(s) of property owner(s) and the tax block(s) and lot number(s) for all parcels contained within the boundaries of the proposed subdivision as identified from current maps and records in the office of the Scott County Recorder.
- (2) The names and widths of all adjoining streets and easements, a stub property line at approximately the location of intersecting boundaries of all adjoining properties and the ownership of all adjoining properties. Ownership shall be identified by an owner's name and a deed book and page number or an owner's name and plat book and page number.
- (3) Lot numbers, lot lines, front and street side building limit lines if different than the required yards of the zoning district, all fully dimensioned, bearings and distance of non-parallel lot lines, and square footage or acreage of each lot.
- (4) The location, description and coordinate values of all permanent monuments set at all points of change in direction of all exterior boundary lines of each section. All monuments shown shall be interconnected and dimensioned so that any registered land surveyor can lay out the lots or streets in the subdivision correctly by referring to the plat alone without any additional information.
- (5) The location of the 100-year flood elevation.
- (6) A key map, showing the relative location of the proposed subdivision to the nearest existing arterial street intersection.
- (7) Landscape buffer areas.
- (8) All waivers and variances granted by the Commission.
- (9) Deed book and page number of the deed of restrictions applicable to the subdivision, if any.

7.5 Certificates and Title Block

The record plat shall contain:

- (1) A certificate of ownership and dedication in compliance with Section 9.10 hereof, and an accompanying certificate of acknowledgement in compliance with Section 9.20 hereof.
- (2) A Land Surveyor's certificate in compliance with 9.30 hereof.
- (3) Certificates of reservation in compliance with Section 9.50, 9.60 and 9.70, 9.75 and 9.76 hereof, if applicable.
- (4) A title block, in the lower right hand corner of the plat, showing the title of the subdivision, the name and address of the owner, the name and address of the subdivider, the name and address of the land surveyor preparing the plat, the date of preparation, and the scale.
- (5) A certificate of approval in compliance with Section 9.80 hereof.

7.6 Notice of Legal Requirements

The record plat shall contain:

- (1) Notice of the obligation in the following form:

Property Owner's Obligation

Certain improvements in this subdivision are required by the Scott County Area Plan Commission Subdivision Control Ordinance as specified by approved constructed plans on file in the office of the Commission Director. It is the obligation of every property owner in the subdivision not to damage, alter or destroy those improvements and not to allow any condition or activity on his property that will impair the proper functioning of those improvements. For violation of this provision, the property shall be subject to the imposition of a lien for the amount necessary to remedy the violation which may be enforced in the same manner that mortgages are enforced, and persons responsible shall be subject to fine.

- (2) Notice of the builders obligation in the following form:

Builders Obligation

The builder of each lot in this subdivision is required to grade the lot so that cross-lot drainage is in conformance with the approved Composite Drainage Plan for the subdivision and all drainage from the lot is directed to a public drainage facility in easement or right-of-way.

7.7 Graphics

The lines and symbols identified in Section 5.60 shall be used when drawing plat.

ARTICLE 8

STORM WATER DRAINAGE, EROSION, AND SEDIMENT CONTROL

Recognizing that land-disturbing activities may cause soil loss, siltation, and degradation of natural resources, the erosion control standards of this ordinance are applicable to all land-disturbing activities that are necessary for any development regulated by this ordinance.

Streams and drainage channels serving the City of Scottsburg and unincorporated areas of Scott County may not have sufficient capacity to receive and convey storm water runoff resulting when land use changes from underdeveloped or agricultural use to a more dense land use. In addition, deposits or sediment from developments during and after construction can reduce capacities of storm sewers and drainage facilities and result in damages to receiving lakes and streams.

Therefore, the Commission requires that all new development, redevelopment and other new construction in Scott County Area Plan Commission jurisdiction store storm water runoff and provide for its controlled release, except as exempted herein. The storm water release rate of a one hundred (100) year storm event from development, redevelopment, and new construction must not exceed the storm water runoff from a ten (10) year storm event from the land area prior to the new development, redevelopment, or new construction or the capacity of its drainage outlet, whichever is more restrictive. There may be certain circumstances where detention is not justified or may be detrimental to the overall drainage basin. The Commission may waive detention requirements in these cases.

8.1 Permits For Construction In A Floodway

The 1945 Flood Control Act (Indiana Code 13-2-22) of the State of Indiana prohibits the construction of abodes or residences in or on a floodway. Prior approval of the Department of Natural Resources is required for any type of construction, excavation, or filling in or on a floodway.

All applications made to, and granted approval by, the Department of Natural Resources do not in any way relieve the owner of the necessity of securing easements or other property rights, permits or approvals from affected property owners and local, state, and federal agencies.

8.2 Wetlands

Landowners and/or developers must notify and make applications to all appropriate state and federal agencies with authority for wetland protection. In cases where federal or state jurisdictional wetlands have been determined to exist, those wetland areas and boundaries must be indicated on preliminary and final drainage plans.

The Commission will not make determinations of the accuracy of delineation or extent of jurisdictional wetlands. Approvals required by this Ordinance may be deferred until wetland-related approvals have been obtained.

8.3 Adequate Drainage Outlets

All projects subject to this Ordinance must provide drainage outlets, whose adequacy is based upon the following standards:

- A. Use of the outlet will not increase the velocity or rate of outflow above that allowed by this Ordinance;
- B. The outlet must be approved by all involved regulatory agencies; and
- C. Use of the outlet will not cause hardship or compound existing problems.

The following outlets will generally not be deemed to be adequate:

- A. An outlet that is not legally and physically accessible and maintainable;
- B. Overland flow that is not a watercourse as defined by this Ordinance;
- C. Existing or future roadside ditches, unless specifically approved;
- D. Agricultural field tiles for surface water, and
- E. Railroad side ditches without adequate improvements, unless specifically approved.

8.4 Compliance with 327 IAC 15-5

All land-disturbing activities that disturb five (5) acres or more in total must comply with 327 IAC 15-5 (Rule 5) “Storm Water Runoff Associated With Construction Activity.” It is the responsibility of the subdivider to determine if this rule applies to his/her project. The Commission will make no determination of the applicability of Rule 5 to individual projects. Copies of Notice of Intent (NOI) letters must also be filed with the Scott Commission prior to commencement of the land-disturbing activity.

8.5 Compliance

In addition to the requirements of this Ordinance, compliance with the requirements set forth in other applicable ordinances with respect to submission and approval of primary and secondary subdivisions, site plan review, improvement plans, building and zoning permits, construction inspections, appeals, and similar matters, and compliance with applicable State of Indiana statutes and regulations, is required.

8.6 Interpretation of Terms or Words

For the purpose of this Article 8, certain terms or words are defined. The words and terms used must be interpreted as follows:

1. The word “person” includes a firm, association, organization, partnership, trust, company, corporation, or other legal entity, as well as an individual;
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular;
3. The word “must” is a mandatory requirement; the word “may” is a permissive requirement; the word “should” is a preferred requirement;
4. The words “used” or “occupied” include the words “intended, designed, constructed, converted, altered, or arranged to be used or occupied”;
5. The word “lot” includes the words “tract, plot or parcel”; and
6. Any word or term not defined herein must be given a meaning found in a standard English dictionary.

8.7 Definitions

For the purpose of this Article 8, the following definitions apply:

1. **CHANNEL:** A natural or artificial watercourse which periodically or continuously contains moving water or which forms a connecting link between two (2) bodies of water. It has a defined bed and banks, which serve to confine the water.
2. **COMPENSATORY STORAGE:** An artificial volume of storage within a floodplain used to balance the loss of natural flood storage capacity when artificial fill or structures are placed within the floodplain.
3. **CULVERT:** A closed conduit used for the passage of surface drainage water under a roadway, railroad, canal or other impediment.

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4. **DETENTION STORAGE:** The temporary detaining or storage of storm water in storage basins, under predetermined and controlled conditions.
 5. **DRAINAGE AREA:** The area from which drains to a point of consideration.
 6. **DRY BOTTOM DETENTION BASIN:** A drainage facility constricted to restrict the runoff of storm water to a prescribed maximum rate, and to detain for a specified period of time the excess waters that accumulate upstream from the outlet. The facility is designed to be completely de-watered after having provided its planned detention of runoff during a storm event.
 7. **EROSION:** The detachment and movement of soil, sediment or rock fragments by water, wind, ice or gravity.
 8. **EROSION AND SEDIMENT CONTROL MEASURE:** A practice or a combination of practices to control erosion and resulting off-site sedimentation.
 9. **EROSION AND SEDIMENT CONTROL PLAN:** A written description and drawings of pertinent information concerning erosion and sediment control measures designed to meet the requirements of this ordinance.
 10. **FLOOD ELEVATION:** The maximum level of high waters for a flood of a given return period and rainfall duration.
 11. **FLOOD OR FLOODWATER:** Water that overflows the banks of a lake or watercourse.
 12. **FLOOD HAZARD AREA:** Any floodplain, floodway, floodway fringe, or any combination which is subject to inundation by the regulatory flood elevation or any floodplain as delineated by Zone A on the current Flood Hazard Boundary Map of the Federal Emergency Management Agency.
 13. **FLOODPLAIN:** The area adjoining the river or stream that has been or may be covered by floodwaters. It consists of both the floodway and the floodway fringe.
 14. **FLOOD PROTECTION GRADE:** An elevation that is a specific distance above the regulatory flood elevation as established by agencies having jurisdiction.
 15. **FLOODWAY:** See Regulatory Floodway.

16. **FLOODWAY FRINGE:** That portion of the floodplain lying outside the floodway that is inundated by the regulatory flood.
17. **FOOTING DRAIN:** A drainpipe installed around the exterior of a basement wall or foundation or located in a crawl space to prevent water from entering a basement or crawl space.
18. **GRADIENT:** The inclination or slope of a channel, conduit or natural ground surface expressed as a ratio of the vertical rise or fall to the corresponding horizontal distance.
19. **IMPROVEMENT LOCATION PERMIT:** A permit stating that the proposed erection, construction, enlargement or moving of a building or structure complies with the provisions of the Scott County Unified Zoning Ordinance.
20. **INLET:** An opening into a storm sewer system for the entrance of surface storm water runoff, more completely described as a storm sewer inlet.
21. **LAND-DISTURBING ACTIVITY:** Any man-made change of the land surface including removing vegetative cover, excavating, filling, transporting, and grading. It includes any activity requiring a Commission Improvement Location Permit.
22. **MANHOLE:** Storm sewer structure through which a person may enter to gain access to a storm sewer or enclosed structure. A manhole may also be an inlet for the storm sewer system.
23. **OUTFALL:** The point or location where storm runoff discharges from a sewer, channel or detention facility.
24. **PEAK FLOW:** The maximum rate of flow of water at a given point in a channel or conduit resulting from a specified storm or flood of a given return period or duration.
25. **PERIMETER DRAIN:** A tile drain located around an absorption field.
26. **POND:** See Wet Bottom Retention Basin.
27. **RAINFALL INTENSITY:** The rate of rainfall expressed as the amount of rain occurring within a given duration, normally expressed in inches per hour.
28. **REGULATED AREA:** All of the land under the jurisdiction of the Commission.

29. **REGULATORY FLOOD:** A flood with a peak having a probability of occurrence of one (1) percent in any given year, which is commonly referred to as one hundred (100) year flood as calculated by a method and procedure which is acceptable to the Commission. If a permit for construction in the floodway is required by the Indiana Department of Natural Resources, the regulatory peak discharge must be calculated by the method and procedure acceptable to the Commission and the Indiana Department of Natural Resources.
30. **REGULATORY FLOODWAY:** The channel of a river or stream and those portions of the floodplain adjoining the channel which are reasonably required to carry and discharge the peak flow of the regulatory flood of any river or stream.
31. **RELEASE RATE:** The amount of water released from a drainage facility per unit of time.
32. **RETURN PERIOD:** The average interval of time within which a given rainfall event will be equaled or exceeded once. A flood having a return period of one hundred (100) years has a one (1) percent probability of being equaled or exceeded in any one (1) year.
33. **RUNOFF:** The portion of precipitation from such sources as rainfall, snow melt, or irrigation water that flows over or under the ground's surface and arrives at the point of consideration as surface water.
34. **RUNOFF COEFFICIENT:** A factor in the rational formula that relates the ratio of peak runoff to rainfall and considers such factors as ground cover, soil types, and watershed configuration.
35. **SEDIMENT:** Material of soil and rock origin transported, carried, or deposited by water.
36. **SIPHON:** A closed conduit, a portion of which lies above the hydraulic grade line resulting in a pressure less than atmospheric and requiring a vacuum within the conduit to start flow. An inverted siphon is used to carry flow under an obstruction.
37. **SITE:** The entire area included in the legal description of the land on which the land-disturbing activity is proposed in the permit application.
38. **SPILLWAY:** A waterway in or about a hydraulic structure for the escape of the excess water.
39. **STILLING BASIN:** A structure used to dissipate the energy and/or velocity of flowing water.

- 1686
- 1687 40. **STORAGE DURATION:** The length of time that water may be stored in
- 1688 any drainage facility.
- 1689
- 1690 41. **STORM SEWER:** A closed conduit for conveying collected storm water.
- 1691
- 1692 42. **SUBSURFACE DRAIN:** A tile drain installed for the purpose of
- 1693 lowering the ground water table.
- 1694
- 1695 43. **WATERCOURSE:** Any natural or man-made drainage way having a
- 1696 defined channel and banks into which storm water runoff or floodwaters
- 1697 flow either regularly or intermittently.
- 1698
- 1699 44. **WATERSHED:** See Drainage Area.
- 1700
- 1701 45. **WET BOTTOM RETENTION BASIN:** A basin designed to retain a
- 1702 permanent pool of water plus capacity to detain and release excess runoff.
- 1703
- 1704 46. **WETLANDS:** Those areas, which have hydric soils and that, are
- 1705 inundated or saturated by surface or ground water at a frequency and
- 1706 duration sufficient to support and that, under normal circumstances, do
- 1707 support prevalence to vegetation typically adapted for life in saturated soil
- 1708 condition. Wetlands generally include swamps, marshes, bogs, and similar
- 1709 areas.
- 1710

1711 **8.8 Information Requirements**

1712

1713 The applicant must submit to the Commission, drainage calculations detailing runoff

1714 **before and after** the proposed project is constructed, which demonstrate compliance

1715 with this Article. In addition, the applicant must submit two (2) sets of:

1716

- 1717 (1) A Drainage Plan, and
- 1718
- 1719 (2) An Erosion and Sediment Control Plan of sufficient detail and clarity
- 1720 to allow the Commission to evaluate project compliance with this
- 1721 ordinance.
- 1722

1723 The maximum sheet size is 24"x 36" and as much information as possible should be

1724 shown on as few sheets as possible. The plans must be prepared under the supervision of

1725 and certified by a Registered Land surveyor or a Professional Engineer licensed by the

1726 State of Indiana.

1727

1728 **8.9 Site Plan & Erosion and Sediment Control Plan Requirements**

1729

1730 The plans submitted must include the following information:

1731

1. Existing Conditions:

- A. Project name, developer, project engineer or surveyor, their addresses and telephone numbers, legal description, date of plans and any revisions, scale of plan, and north point;
- B. Area Vicinity Map detailing project environs, current zoning, adjoining property owners, and street lines within one thousand (1,000) feet of the project boundaries;
- C. Topography based on mean sea level elevation at a minimum one (1) foot interval for the project site and any adjoining areas whose topography may effect project drainage. If the drainage area is extensive, an additional map of sufficient clarity must be provided;
- D. The location of existing streams, lakes, ponds, watercourses, and other flood water runoff channels, the extent of the floodplain at the established one hundred (100) year flood elevation, and the limits of the floodway, all properly identified;
- E. The existing location of surface and subsurface drains, inlets, and outfalls, easements that are visible or of record, existing seeps, springs, and wells that are visible or of record;
- F. Existing storm and sanitary sewers, inlets, or outfalls, existing septic tank systems, and treatment plant outlets and utilities;
- G. Existing structures;
- H. Identification of jurisdictional wetlands.
- I. Boundary and acreage of project site indicated by a heavy solid line based on a traverse with angular and linear dimensions; and
- J. Other significant conditions of the area proposed to be improved.

2. Site Improvements:

- A. Location and finished floor elevations for all improvements;
- B. Proposed changes in streams, lakes, swamps, detention basins, watercourses and flood water runoff channels, floodplains, and the limits of the floodway, all properly identified,
- C. Proposed location of surface and subsurface drains, inlets, outfalls, and easements;

- 1778
- 1779 D. Proposed location, materials, and gradients of storm and sanitary
- 1780 sewers, inlets and outfalls, on-site sanitary effluent disposal
- 1781 systems, and location of affected utilities;
- 1782
- 1783 E. Structures to be removed or relocated on the project site;
- 1784
- 1785 F. The location and design of proposed streets, roads, sidewalks,
- 1786 culverts, bridges, parking lots, hard surfaced areas, including
- 1787 depressed pavements and used to convey or temporarily store
- 1788 overflow from heavier rainstorms, and outlets for such overflow;
- 1789
- 1790 G. The cross section of existing streams and floodplains to be
- 1791 maintained or changed and new channels to be constructed, where
- 1792 changes are proposed or discharge into receiving streams is
- 1793 altered; and
- 1794
- 1795 H. The erosion and sediment control measures to be implemented
- 1796 including, but not limited to: design and installation details,
- 1797 location, vegetation and schedule.
- 1798

1799 **8.10 Submittal and Consideration of Plans**

1800

1801 The subdivider must submit Site Plan & Erosion and Sediment Control Plan at the time

1802 that construction plans are submitted to the Commission. The professional who prepared

1803 the Site Plan & Erosion and Sediment Control Plan must attend any Commission meeting

1804 at which the plans are considered.

1805

1806

1807 **8.11 Determination of Runoff Quantities**

1808

1809 Runoff quantities must be computed for the watershed within the parcel under

1810 development. The quantity of runoff which is generated as the result of a given rainfall

1811 intensity may be calculated as follows:

1812

- 1813 1. For areas up to and including two hundred (200) acres, the Rational
- 1814 Method may be used: The peak rate of runoff (Q) in cubic feet per second
- 1815 is computed as $Q = CIA$;
- 1816
- 1817 C = runoff coefficient, representing the characteristics of the drainage area
- 1818 and defined as the ratio of runoff to rainfall;
- 1819
- 1820 I = average intensity of rainfall in inches per hour for a duration equal to
- 1821 the time of concentration (t_c) for a selected rainfall frequency; and
- 1822
- 1823 A = tributary drainage area in acres.

2. Guidance for selection of the runoff coefficients is to be found in appropriate design manuals. Rainfall intensity must be determined from the rainfall frequency curves found in standard design manuals for this region or from data shown. The time of concentration (t_c) to be used must be the sum of the inlet time and flow time in the drainage facility from the most remote part of the drainage area to the point under consideration. The flow time in the storm sewers may be estimated by the distance in feet divided by velocity of flow in feet per second. The Manning Formula must be used to determine the velocity.
3. Other methods of determining runoff may be used upon approval of the Commission. Computer programs may be used and computer printouts submitted for drainage calculations provided details of the program and the assumption made by that program are submitted with the calculations and approved by the Commission. The Commission may require other methods of determining runoff.

8.12 Amount of Runoff to be Accommodated by Various Parts of Drainage Facility

Various parts of a drainage facility must accommodate runoff water as follows:

1. The drainage facilities, including but not limited to, inlets, catch basins, street gutters, component swales, storm sewers and small channels, which collect storm water must accommodate peak runoff from at least a ten (10) year return period storm. The allowable spread of water on collector streets is limited to maintaining two (2) clear ten (10) foot moving lanes of traffic. One (1) lane is to be maintained on local roads and subdivisions streets.
2. For rainfall heavier than a ten (10) year storm, these minimum requirements must be satisfied:
 - (A) Open channels carrying peak flows greater than thirty (30) cubic feet per second must be capable of accommodating peak runoff for a fifty (50) year return period storm within the drainage easement;
 - (B) New culverts must be capable of accommodating peak runoff from a fifty (50) year return period storm when crossing under a road which is part of the Indiana Department of Transportation functional classification system and is classified as principal or minor arterial, or major or minor collector road; and
 - (C) Drainage facilities must have adequate capacity to convey the storm water runoff from all upstream tributary areas through the development under consideration for a storm of one hundred (100)

year design return period calculated on the basis of the upstream land in its present state of development. An allowance, equivalent to the reduction in flow rate detention and release rate have previously been approved by the Commission and evidence of its construction can be shown.

8.13 Drainage Easements

Drainage easements must be provided to cover all elements of the drainage facility and must be designed:

1. To be adequate to install and maintain the drainage facilities;
2. To minimize conflicts with utility easements;
3. To maintain a sufficient buildable area on each lot or parcel;
4. To be at least fifteen (15) feet wide.

No building, fence, trees or shrubs may be placed within the drainage easement.

8.14 Hydraulic Capacity

The hydraulic capacity of a storm sewer must be determined using Manning's Equation.

8.15 Minimum Size

The minimum diameter of a storm sewer must be twelve (12) inches. An orifice plate or other device must control rate of release for detention storage, subject to approval of the Commission, where the twelve (12) inch pipe will not limit the rate of release as required.

8.16 Grade

The minimum and maximum allowable sewer gradients are those capable of producing velocities of two (2) and fifteen (15) feet per second, respectively, when the sewer is flowing full. A minimum of two (2) feet cover is to be maintained over the top of the pipe. Pipe cover less than the minimum may be used with approval of the Commission. Uniform slopes must be maintained between structures. A final grade must be set with full consideration of the capacity required, sedimentation problems, and other design parameters.

8.17 Alignment

In general, a storm sewer must be straight between structures. The Commission may allow curved sewers at its discretion under certain conditions.

8.18 Manholes

- A. Structures must be installed to provide access to continuous underground storm sewers for the purpose of inspection and maintenance. Manholes must be provided at the following locations:
1. Where two (2) or more storm sewer converge;
 2. Where pipe size changes;
 3. Where a change in alignment occurs;
 4. Where a change in grade occurs;
 5. At suitable intervals in straight sections of sewer; and
 6. Where pipe materials change.
- B. The maximum distance between storm sewer manholes must be as follows:

Size of Pipe (inches)	Maximum Distance (feet)
12" thru 42"	400
48" and larger	600

8.19 Inlets

Inlets or drainage structures must be utilized to collect surface water through grated openings and convey it to storm sewers, channels, or culverts. The inlet grated opening provided must be adequate to pass the design ten (10) year flow with fifty (50) percent of sag inlet grate open areas clogged. An overload channel from sag inlets to a suitable outlet or basin must be provided. (See Section 3.5.1)

8.20 Workmanship

The specifications for the constructions of storm sewers cannot be less stringent than those set forth in the latest revision of the Indiana Department of Transportation's Standard Specifications.

8.21 Materials

Storm sewer manholes and inlets must be constructed of cast in place concrete or pre-cast reinforced concrete. Material and construction must conform to Indiana Department of

Transportation’s “Standard Specifications”, Section 720. Pipe and fittings used in storm sewer construction must be reinforced concrete pipe (ASTM C-76). Smooth-walled PVC pipe and smooth walled corrugated polyethylene pipe may be used only in areas specially approved by the Commission. Smooth-walled PVC pipe and smooth walled corrugated polyethylene pipe cannot be used under streets or as driveway culverts.

Other types of inlets, end treatments, pipes and fittings may be used only when specifically authorized by the Commission. Pipe joints must be flexible and soil tight and must conform to the requirements of Section 715.02 Materials, of the latest edition of the Indiana Department of Transportation’s “Standard Specifications”. Pipe end treatments must be metal end sections for plastic pipes and concrete end sections for concrete pipes.

8.22 Pipe Bedding, Backfill and Surface Restoration

1. All pipe must be bedded on four (4) inches and covered by twelve (12) inches of Indiana No. 57 crushed limestone.
2. Where pipe is installed in earth areas, not immediately adjacent to a street or road, the remainder of the trench must be backfilled with selected earth materials, humped over the trench to allow for settling.
3. Where pipe is installed in a graveled area, the remainder of the trench must be backfilled with Bank Run sand to a point eight (8) inches below original grade and then filled with Indiana No. 73 crushed limestone to original grade.
4. Where pipe is installed in an asphalt street, driveway, or parking area, the remainder of the trench must be backfilled with Bank Run sand to a point nine (9) inches below original grade. The trench must then be trimmed back six (6) inches on each side and filled with 3000 psi concrete. After all construction is completed, the trench must be cleaned, primed and paved with a one (1) inch compacted thickness of INDOT HAC Surface to be flush with the surrounding area. All patch seams can only be saw cut, cut smooth, straight and tarred.
5. Where pipe is installed in a concrete area, the remainder of the trench must be backfilled with Bank Run sand to a point nine (9) inches below original grade. The trench must then be trimmed back six (6) inches along each side and filled with 3000 psi concrete flush with original grade. All patch seams must be saw cut only, smooth and straight.
6. All cutting of trenches in existing asphalt or concrete pavements must be done with a saw only to provide a straight, smooth joint when new paving is done.

8.23 Special Hydraulic Structures

Special hydraulic structures such as siphons, stilling basins, or other special structure required to control the flow of water in storm drainage facilities, must be limited to those locations justified by prudent planning and designed with careful and thorough hydraulic engineering analysis.

8.24 Channel Cross Section and Grade

The required channel cross section and grade are determined by the design capacity based on Manning's Equation, the material in which the channel is to be constructed and the requirements for maintenance. A minimum depth may be required to provide adequate outlets for subsurface drains, storm sewer pipes, tributary ditches or streams. The channel grade must be such that the velocity in the channel is high enough to prevent erosion. Channel lining materials must be justified by the project engineer in the final drainage design.

8.25 Side Slopes

Side slopes of earthen channels must be no steeper than three to one (3:1), justified by local materials and approved by the Commission. Flatter slopes may be required to prevent erosion and for ease of maintenance. Where channels will be lined, as per Section 5.7, side slopes must be for weep holes. Side slopes steeper than one and one-half to one (1½:1) may be used for lined channels provided that the side lining and structural retaining wall are designed and constructed with provisions for live and dead load surcharges.

8.26 Channel Stability

- A. A stable channel does not vary design gradient and cross section from acceptable limits;
- B. Channel stability must be determined for an aged condition. The velocity must be based on the design flow or the bank full flow, whichever is greater, using "n" values for various channel linings; and
- C. Channel stability must be checked using conditions immediately after construction for justification of erosion control measures.

8.27 Drainage of Open Channels

Vegetated channels with gradient of less than one percent (1.0%) or that are subject to low flows of long duration where wet conditions prevail must be drained with a tile system or by other means such as paved gutters. Tile lines may be outletted through a drop structure at the end of the channels or through a standard tile outlet. Tiles must be

bedded in granular materials that will not pass through tile openings. Tiles must be installed with a minimum of six (6) inches of cover over the top of the tile and must be offset from the centerline of the channel.

8.28 Appurtenant Structures

The channel design will include the design of all structures required for the proper functioning of the channel, the laterals, and the maintenance ways.

8.29 Disposition of Spoil Material

Spoil material resulting from clearing, grubbing, and channel excavation must be disposed of in a manner that will minimize erosion and other adverse effects to easements, surface drainage, and rights-of-way. Disposal must be done in a manner that will also improve the aesthetic appearance of the site.

8.30 Materials

Materials acceptable for use as channel lining are concrete, gabions, pegged rod erosion control blankets, and netting.

Other lining materials require specific approval of the Commission. All channel materials must comply with the latest edition of the Indiana Department of Transportation's Standard Specifications. Interconnected tires are not acceptable material.

8.31 Acceptable Storm Water Detention Methods

The increased storm water runoff from a proposed development must be detained onsite by appropriate wet or dry bottom reservoirs, by storage on flat roofs, parking lots, streets, lawns or other acceptable techniques. Measures that retard the rate of overland flow and the velocity in runoff channels may also be used to control the runoff rate.

8.32 Detention Facility Design

Storm water facilities must be designed to store the excess flows from a post development one hundred (100) year return interval storm. The release rate must be that of a ten (10) year return interval storm on the site in its pre-developed state or the capacity of the receiving stream, whichever is less. The developer's engineer is responsible for determining the hydraulic capacity of the receiving stream.

8.33 Allocation of Detention

In the case of an existing limiting restriction that cannot be realistically removed, the allowable release rate from any one detention basin must be in direct proportion to the ratio of its drainage area to the drainage area of the entire water shed upstream of the limiting restriction. The total runoff must not exceed the capacity of the restriction and

2094 each development must be responsible for its proportionate share of the storage
2095 requirement.

~~2096~~ **8.34 Determination of Storage Volume – Rational Method**

2097 For areas of two hundred (200) acres or less the Rational Method may be used to
2098 determine the required volume of storm water storage, as outlined in the County Storm
2099 Drainage Manual of the Highway Extension and Research Project for Indiana Counties
2100 and Cities (HERPICC).

~~2101~~ **8.35 Determination of Storage Volume- Other Methods**

2102 Methods for determining runoff and routing of storm water other than the Rational
2103 Method may be used to determine the storage volume required to control storm water
2104 runoff. The procedures or methods used must receive the prior approval of the
2105 Commission. The TR-20 and TR-55 models are approved for appropriate use in analysis
2106 of the runoff and routing of storm water.

2107

~~2108~~ **8.36 General Detention Basin Design Requirements**

2109 Basins must be constructed to temporarily detain the storm water runoff that exceeds the
2110 peak flow rate authorized by this ordinance. The following minimum standards must be
2111 observed:

- 2112 1. The maximum volume of water stored and subsequently released at the
2113 design release rate must not result in a storage duration in excess of forty-
2114 eight (48) hours unless additional storms occur within the period;
- 2115 2. All storm water detention facilities must be separated by not less than
2116 twenty-five (25) feet from any building or structure to be occupied, and
2117 the lowest floor of any building or structure must be at least two (2) feet
2118 above the one-hundred (100) year storm water elevation of detention
2119 facilities;
- 2120 3. Safety grates may be required on all outlet control structures. Grates must
2121 retain a sphere greater than six (6) inches in diameter and must have a
2122 screen area at least six (6) times the end area of the outlet control
2123 structure;
- 2124 4. Danger signs must be mounted at appropriate locations to warn of deep
2125 water, possible flooding conditions during storm periods and other dangers
2126 that exist. **Fencing must be provided if deemed necessary by the**
2127 **Commission.** The Commission must approve design and locations.

- 2128 5. Outlet control structures must be designed to operate as simply as possible
2129 and must require little or no maintenance and attention for proper
2130 operation;
- 2131 6. Emergency overflow facilities such as a weir or spillway must be provided
2132 for the release of exceptional storm runoffs or in emergency conditions
2133 such as the normal discharge devices becoming totally or partially
2134 inoperative. The overflow facility must be of such design that its
2135 operation is automatic and does not require manual attention; and
- 2136 7. Side slopes must be in compliance with Section 5.2.

8.37 Dry Bottom Detention Basin Design Requirements

2138 Dry Bottom Detention Basin must comply with the following additional requirements:

- 2139 1. Provisions must be incorporated to facilitate complete interior drainage of
2140 dry bottom detention basins. Acceptable methods include natural grades
2141 to outlet structures, longitudinal or transverse grades to perimeter drains,
2142 paved gutters, or subsurface drains. Dry bottom detention basins with less
2143 than one percent (1%) gradient must be provided with subsurface drainage
2144 or paved gutters;
- 2145 2. Recreational facilities, aesthetic qualities, open space or other secondary
2146 use must be considered in planning the detention facility; and
- 2147 3. The maximum planned depth of storm water stored without a permanent
2148 pool must not exceed four (4) feet.

2649 8.38 Wet Bottom Retention Basin Design Requirements

2150 Where part of a detention basin, excluding wetlands, will contain a permanent pool of
2151 water, the following requirements apply:

- 2152 1. If fish are to be maintained, a pond must have a water area of at least
2153 one-half (1/2) acre and minimum depth of approximately ten (10) feet
2154 must be maintained over at least twenty-five (25) percent of the pond area.
2155 The remaining pond area must not have extensive shallow areas, except as
2156 required by subsection (3) below;
- 2157 2. If fish are not to be maintained, a minimum depth of eight (8) feet must be
2158 maintained over at least twenty-five (25) percent of the pond at permanent
2159 water level. Where a limiting layer prevents excavation to that depth, a
2160 minimum of six (6) feet over at least fifty (50) percent of the area is
2161 required;

- 2162 3. In excavated ponds, the underwater side slopes in the pond must be stable.
2163 In the case of valley storage, natural slopes may be considered to be
2164 stable;
- 2165 4. A safety ledge a minimum of six (6) feet in width and a 10:1 slope is
2166 required and must be installed in all ponds approximately thirty (30)
2167 inches below the permanent water level; and
- 2168 5. Erosion control measures must be installed to prevent erosion from wave
2169 action and wet-dry cycles;
- 2170 6. Chain-link fencing must be provided around the perimeter of the wet
2171 bottom retention basin. The minimum fence height must be six (6) feet.

~~2172~~ **8.39 Rooftop Storage**

2173 If rooftop detention is proposed, details of such designs are to be included in the
2174 application and must include the depth and volume of storage, details of outlet devices
2175 and down drains, and elevations of emergency overflow provisions. Rooftop detention is
2176 not recommended.

2177

~~2178~~ **8.40 Parking Lot Storage**

2179 Paved parking lots may be designed to provide temporary detention storage of storm
2180 water. Ponding should, in general, be confined to those positions of the parking lots
2181 farthest from the area served. Ponding areas must not conflict with handicapped parking
2182 and access routes. Such ponding areas should be exposed to sunlight in winter months to
2183 minimize icing. Storage depth must be limited so as not to conflict with parking lot use.
2184 Any detention facility utilizing a parking lot must take resurfacing and other parking lot
2185 maintenance activities into consideration during design.

~~2186~~ **8.41 Facility Maintenance Responsibility**

2187 Maintenance of drainage facilities during construction must be the responsibility of the
2188 land developer. Maintenance responsibilities must be documented by appropriate
2189 restrictive covenants to property deeds prior to final drainage plan approval. Perpetual
2190 maintenance is the developer's responsibility.

~~2191~~ **8.42 Joint Development of Control Systems**

2192 Storm water control systems may be planned and constructed jointly by two (2) or more
2193 developers as long as compliance with this ordinance is maintained.

2194

2195

2693 8.43 Allowance for Sedimentation

2197 Dry bottom detention basins and wet bottom retention basins must be designed with an
2198 additional six percent (6%) of available capacity to allow for sediment accumulation
2199 resulting from development and to permit the pond to function for reasonable periods
2200 between cleanings. Basins should be designed to collect sediment and debris in specific
2201 locations so that removal costs are kept to a minimum.

2602 8.44 Detention Facilities in a Flood Plain

2203 If detention storage is provided within a floodplain, only the net increase in storage
2204 volume above that which naturally existed in the floodplain must be credited to the
2205 development. No credit will be granted for volumes below the elevation of the regulatory
2206 flood at the location unless compensatory storage is also provided.

2207 SOIL EROSION AND SEDIMENT CONTROL

2708 8.45 General Provisions

2209 Measures taken to control erosion control and sedimentation must assure sediment is not
2210 transported from a site by storm events. The following general provisions should be used
2211 in the preparation of submissions required under this ordinance:

- 2212 1. To minimize potential for soil erosion, development should fit the
2213 topography and soils of the site. Steep slopes, deep cuts, and fills in
2214 erodible soils should be avoided wherever possible and natural contours
2215 should be followed as closely as possible.
- 2216 2. Natural vegetation must be retained and protected wherever possible.
2217 Areas immediately adjacent to natural watercourses and protected
2218 wetlands must also be left undisturbed wherever possible. Vegetation to
2219 be preserved must be protected prior to construction;
- 2220 3. All activities on a site must be constructed in a logical sequence so that the
2221 smallest practical area of land will be exposed for the shortest practical
2222 period of time during development;
- 2223 4. Practices including, but not limited to, sediment basins, silt traps or filters
2224 must be installed prior to land-disturbing activities and maintained to
2225 remove sediment from runoff leaving the site as long as unstabilized soil
2226 conditions exist;
- 2227 5. The selection of soil erosion and sediment control measures must include
2228 the assessment of the probable frequency of climatic events. The
2229 aesthetics of the project improvements and the requirements of continuing
2230 maintenance must be considered; and

- 2231 6. Provisions must be made to accommodate the increased runoff caused by
2232 changes in soil and surface conditions during and after developments.
2233 Drainage ways must be designed so that their final gradients and resultant
2234 velocities will not create erosion.

2235 Design Criteria, Standards, and Specifications for Erosion Control Measures

2236 All erosion control measures must meet the design criteria, standards, and specifications
2237 outlined in the:

- 2238 a) The “Field Office Technical Guide” of the Soil Conservation Service
2239 (SCS) of the United States Department of Agricultural (USDA); and
- 2240 b) The “Urban Development Planning Guide” of the Hoosier Heartland
2241 Resource Conservation and Development Council; and
- 2242 c) The “Indiana Handbook for Erosion Control In Developing Areas” of the
2243 IDNR-Division of Soil Conservation.

2244 These publications are available through the Scott County Soil and Water Conservation
2245 District, the Natural Resource Conservation Service (NRCS) offices, the U.S.
2246 Government Printing Office, and the IDNR Division of the Soil Conservation. Erosion
2247 control measures must be identified on the plans using standard symbols.

2248 8.46 Maintenance of Erosion Control Measures

2249 The applicant or subsequent landowner must maintain all sediment basins and other
2250 erosion control measures necessary to meet the requirements of this ordinance. After
2251 land-disturbing activities cease, and the silt is stabilized, temporary sediment basins and
2252 other temporary erosion control measures may be eliminated if their purpose has been
2253 fulfilled. Any disturbed soil resulting from removal of such practices must be stabilized
2254 by approved methods.

2255 8.47 Control of Erosion and Sediment during Land Disturbing Activities

2256 The following requirements must be met on all sites:

- 2257 1. Sediment Trapping: Temporary sediment basins or other suitable control
2258 measures must detain sediment-laden water flowing from the site.
2259 Water
2260 may not be discharged in a manner that causes erosion of the site or
2261 receiving channels or an accumulation of sediment within the receiving
2262 channel or its outlets;
- 2263 2. Waste and Materials Disposal: All waste and unused building materials
2264 including, but not limited to garbage, debris, cleaning wastes, wastewater,
2265 toxic materials, and hazardous substances must be properly disposed of

- 2266 and not allowed to be carried by runoff into a receiving channel or storm
2267 sewer system;
- 2268 3. Tracking: Prior to the land-disturbing activity each site must have
2269 graveled access drives or other approved systems of sufficient width and
2270 length to eliminate sediment being tracked onto public or private
2271 roadways. Gravel access drives must be maintained by acceptable
2272 methods. Flushing is not an acceptable method;
- 2273 4. Temporary Stream Crossings: A stream crossing during land-disturbing
2274 activities must be non-erosive and structurally stable and must not
2275 contribute to flooding or safety hazards. Streams should be crossed at
2276 right angle to the stream flow. Erosion control measures must be
2277 employed and must be appropriate to the expected life of the crossing.
2278 Temporary crossings must convey bankfull flow or a two (2) year peak
2279 discharge, whichever is less. Overflow areas must be protected from
2280 erosion for a ten (10) year peak flow;
- 2281 5. Sediment Removal: Public or private roadways must be cleaned daily and
2282 after major storms using acceptable methods to remove any accumulated
2283 sediment. The developer's contractors are responsible for supervision of
2284 the construction activity within the development and must take all
2285 necessary actions to remove sediment from the streets. Appreciable
2286 sediment should be replaced and stabilized properly and protected from
2287 redeposit onto the road or into the storm water system;
- 2288 6. Drain Inlet Protection: All storm drain inlets must be protected with straw
2289 bales, filter fabric, or equivalent barriers meeting accepted design criteria,
2290 standards and specifications. Curb inlet protection measures that trap
2291 sediment within pavement areas are prohibited; and
- 2292 7. Site Erosion And Sediment Control: The following items apply only to
2293 the time period when land disturbing activities are taking place which may
2294 cause water and sediment to leave the site:
- 2295 (a) Runoff passing through the site from adjacent areas must be
2296 minimized by protecting the existing channel or, if necessary,
2297 diverting it around disturbed areas if legal, feasible, and practical;
2298 and
- 2299 (b) On the site, runoff from the entire disturbed area must be
2300 controlled by meeting the following:
- 2301 (1) All disturbed ground left inactive for seven (7) or more
2302 days must be stabilized by seeding, sodding, mulching, or
2303 by other equivalent erosion control measures;

2304 (2) For sites having less than ten (10) acres disturbed at one
2305 time, silt fences, straw bale dams, or equivalent erosion
2306 control measures must be placed along all sloping
2307 perimeters where erosion and sedimentation could occur.
2308 If a channel or an area of concentrated runoff passed
2309 through the site, silt fences must be placed along the
2310 channel edges to reduce the amount of sediment reaching
2311 the channel; and

2312 (3) Where drainage acres are too large or runoff volumes are
2313 too great for sediment trapping practices, one or more
2314 sediment basins should be constructed. Each sediment
2315 basin should have a sufficient surface area to trap the
2316 sediment. The discharge rate or velocity from a basin
2317 should be sufficiently low as not to cause erosion or the
2318 receiving channel must be adequately protected.

2319 8. Top Soil Stockpiling: During cut and fill operations topsoil must be
2320 stockpiled and re-spread on final grades where vegetation is to be
2321 established.

2322 9. Soil Stockpiling: Excess soil that is stored to be used at a later date must
2323 be stockpiled and protected from erosion.

2324 **8.48 Sump Pumps**

2325 Sump pumps installed to receive and discharge ground waters or other storm water must
2326 be connected to a storm sewer, a subsurface drain or a designated storm discharge
2327 channel. Floor drain flow or other sanitary sewage must be connected to the sanitary
2328 sewers or septic systems and must not discharge to storm sewers or surface outlets.

2329 **8.49 Down Spouts**

2330 All down spouts or roof drains must discharge onto the ground or be connected directly
2331 to the storm sewer pipe. Down spouts or roof drains must not be connected to the
2332 sanitary sewers or subsurface drains.

2333 **8.50 Footing Drains**

2334 Footing drains must be connected to a storm sewer, subsurface drain or designated storm
2335 drainage channel. Footing drains or drainage tile must not be connected to the sanitary
2336 sewer or septic system.

2337 **8.51 Basement Floor Drains**

2338 Basement floor drains must not be connected to the sanitary sewers or septic system.
2339 Basement drains must be connected to sump pumps that discharge to storm sewers.

8.52 Certification Required

After completion of the project and before final acceptance will be made, five (5) professionally prepared and certified sets of “Record Drawings” must be submitted to the Commission for review. These plans shall include all pertinent data relevant to the completed storm drainage and erosion systems and shall include:

1. All pipe sizes and pipe material;
2. All invert elevations
3. All top rim elevations;
4. All structures and pipe lengths;
5. All permanent sediment basins and their maintenance provisions;
6. Data and calculation showing detention basin storage volume; and
7. A certified statement on the plans stating the completed storm drain facility substantially complies with construction plans as approved by the Commission. If during preparation of these “Record Drawings” it is found that the storm drainage facility does not substantially comply with the construction plans as approved by the Commission, the applicant must obtain re-approval.

The Commission must review all “Record Drawings” for compliance within thirty (30) days after their submission to the Commission. If notice of noncompliance is not given within thirty (30) days of the submission plan, the plans will be construed as approved.

8.53 Changes in Plans

Any revisions, significant change or deviation in the detailed plans and specifications after formal approval by the Commission must be filed with and approved by the Commission prior to implementation of the revision or change. Copies of the revisions or changes, if approved, must be attached to the original plans and specifications.

8.54 Disclaimer of Liability

The degree of protection required by this ordinance is considered reasonable for regulatory purposes and is based on historical records, reasonable engineering criteria, and scientific methods of study. Larger storms may occur or storm water runoff depths may be increased by man-made or natural causes. This ordinance does not imply that land uses permitted will be free from storm water damage. This ordinance does not create liability on the part of the Commission or any officer or employee for any damage that may result from reliance on this ordinance or on any administrative decision lawfully made.

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2376 **8.55 Corrective Action**

2377 Nothing contained in this ordinance prevents the Commission from taking such other
2378 lawful action as may be necessary to prevent or remedy any violation. All costs
2379 connected with any legal action accrue to the person or persons responsible.

2380 **8.56 Exempt Projects**

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2382 Any residential, commercial or industrial subdivision or construction project which has
2383 had its drainage plan approved by the Commission prior to the effective date of this
2384 ordinance is exempt from all the requirements of this ordinance, however, compliance is
2385 encouraged.

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ARTICLE 9

STANDARD CERTIFICATE FORM

9.1 Certificate of Ownership and Dedication

(This certificate must be signed by the owner(s) of all property shown on the plat.
Separate certificates for each owner may be used.)

This is to certify that the undersigned is the owner of the land shown on this plat and
hereby acknowledge the same to be the plat of _____

[for a plat, fill in subdivision name] and does hereby dedicate to public use

_____ shown thereon.

Owner(s) Signature

Owner(s) Signature

Owner(s) Signature

Address

Title

9.2 Certification of Acknowledgement

(State of Indiana) (County of _____) SS

I, _____, a Notary Public in and for
the County aforesaid do hereby certify that the foregoing plat of _____
_____ was this day

[for a plat, fill in the subdivision name]
presented to me by _____, know to me, who executed
these Certificates in my presence and acknowledge it to be _____ free act and
deed. (her, his, their)

Witness my hand and seal this _____ day of _____, _____.

My Commission expires: _____ day of _____, _____.

Notary Public

9.3 Land Surveyor's Certificate

(The certificate if used when a field survey and a drawing are required.)

I hereby certify that this plat and survey were made under my supervision, and
that the angular and linear measurements as witnessed by monuments shown hereon, are
true and correct to the best of my knowledge and belief. This survey and plat meets or
exceeds the minimum standards of applicable regulations.

Signature

RLS#

Date

Print Name

Seal

9.3 Certificate of Engineer/Land Surveyor
(Field Inspector)

Re:

Name of Subdivision and Section No.

Planning Commission No.

Certificate of Field Inspector

The undersigned certifies as follows:

1. I personally inspected this subdivision on _____, 2_____,
and to the extent that can be determined from what is visible, the inspection showed that
all improvements required by the approved construction plans dated _____,
_____, have been installed in a good and workmanlike manner and that they are in
good repair and functioning properly, and all reference monuments required by the record
plat have been installed in a good and workmanlike manner.

2. Unimproved lots refers to those on which no primary building has been
constructed, and the number of such lots remaining in the subdivision does not exceed
20% of the total number of lots in the subdivision.

3. I have no knowledge or information which would reasonably indicate that
any of the required improvements have not been installed in a good and workmanlike
manner or that any of these improvements are not functioning properly.

Date

Signature of Field Inspector

Certificate of Engineer/Land Surveyor

The undersigned license and practicing engineer certifies as follows:

1. _____, the field inspector for this subdivision, was employed under my supervision at the time of such inspection and is fully competent to perform it in a manner which is keeping with the standards of the engineering profession, and I assume full responsibility for any inaccuracies in his inspection and certification.

2. I have no knowledge or information which would reasonable indicate that any of the required improvements have not been installed in a good and workmanlike manner or that any of those improvements are not functioning properly.

The undersigned licensed and practicing land surveyor certifies as follows:

1. Reference monuments have been installed at all points of change in direction of all exterior boundary lines of the subdivision or subdivision section. Monuments have been installed at all control points of the roadway at the right-of-way lines of the subdivision or subdivision section. These points shall include but not limited to PC (point of curvature), PT (point of tangency), PI(point of intersection), and POT (point of tangent).

Date

Date

Signature of Land Surveyor

Signature of Engineer

Name P.L.S.#

Name P.E.#

Address

Address

Seal

Seal

Certificate of Engineer/Land Surveyor

Re:

Name of Subdivision and Section No.

Planning Commission No.

The undersigned licensed and practicing engineer certifies as follows:

1. I personally inspected this subdivision on _____, _____, and to the extent that can be determined from what is visible, the inspection showed that all improvements required by the approved construction plans dated _____, _____, (except sidewalks on unimproved lots) have been installed in a good and workmanlike manner and that they are in good repair and functioning properly, and all reference monuments required by the record plat have been installed in a good and workmanlike manner.

2. Unimproved lots refers to those on which no primary building has been constructed, and the number of such lots remaining in the subdivision does not exceed 20% of the total number of lots in the subdivision.

3. I have no knowledge or information which would reasonable indicate that any of the required improvements have been installed in a good and workmanlike manner or that any of these improvements are not functioning properly.

The undersigned licensed and practicing land surveyor certifies as follows:

1. Reference monuments have been installed at all points of change in direction of all exterior boundary lines of the subdivision or subdivision section. Monuments have been installed at all control points of the roadway at the right of way lines of the subdivision or subdivision section. These points shall include but not limited to PC (point of curvature), PT (point of tangency), PI (point of intersection), and POT (point on tangent).

Date

Date

Signature of Land Surveyor

Signature of Engineer

Name

P.L.S.#

Name

P.E.#

Address

Address

Seal

Seal

Builder's Certificate for Bond Release

Re:

Name of Subdivision, Section No. and Lot No.

Planning Commission No.

The undersigned certifies as follows:

1. All construction on this lot has been substantially completed and, if a site drainage plan was required, completion was accomplished in accordance with the plan.

2. Proper measures have been taken on this lot to prevent drainage related damage to improvements required by the approved construction plan applicable to this subdivision.

3. Disrepair or improper functioning of any installed improvements or reference monuments resulting, in whole or in part, from activity engaged in or allowed on this lot has been corrected in a good and workmanlike manner.

Date

Signature of Builder

Name

Address

Certificate of Reservation of Electric, Telephone and Licensee Easements

The space outlined by dashed lines and marked “electric and telephone easement” are hereby reserved as easements for electric and telephone utility purposes, which include: (1) the right of ingress and egress across of all lots, access areas, and ways to and from the easements; (2) the right to cut down or trim any trees within the easement; (3) the right to trim or cut down any trees outside easement area within 10’ of the closet conductor within the easement or a public way; (4) the right to cut down or trim any trees on private property that may be so defective as to present a hazard to utility lines after reasonable notice to the property owner; (5) the right of any utility company using said easements to remove permanent structures or obstructions within the easement. No permanent structures shall be erected within the easement. Fences, shrubbery and gardens may occupy easement areas at property owner’s sole risk. The developer is to remove all trees that may interfere with the original construction of the electric lines and telephone lines to serve this subdivision.

- (1) The electric and telephone easements shown on this plat shall be maintained and preserved in their present condition and no encroachment therein and no charge in the grade or elevation thereof shall be made by any person or lot owner without the prior consent in writing of the parent electric or telephone utility.
- (2) Easement for overhead electric transmission and distribution feeder lines poles and related equipment are reserved over, across and under all spaces (including park, open and drainage space areas), outlined by dash lines and designated for underground and overhead facilities.
- (3) As necessary to provide service, above ground electric transformers and pedestals may be installed in any electric easement.

NOTE:

Also the right to overhand lots with service wires to serve adjoining lots.

OWNERS: _____

Certificate of Reservation of Gas Easement

The spaces outlined by dashed lines and marked “Gas Easement” are hereby reserved as easements for underground gas lines and appurtenances thereof, including the right to construct, operate, maintain, repair, and remove such underground gas lines and appurtenances, and the right of ingress and egress over all lots to and from the easements and the right to cut down any trees within the easement that may interfere with the installation or operation of the lines. No permanent structure shall be erected within the easement. Any gas utility using said easement may remove any permanent structure or obstruction within the easement. Fences, shrubbery and garden may occupy easement areas at the property owner’s sole risk.

Easements are hereby dedicated and reserved to each property owner, together with the right of ingress and egress over abutting lots or properties as may be necessary to install, operate and maintain gas lines to the parent gas utility termination points. Gas lines, as installed shall determine the exact location of said easements.

OWNERS: _____

Certificate of Reservation of Sanitary Sewer and Drainage Easement

Easement for sanitary sewer and drainage purposed are hereby reserved on, over and under the strips of land and spaces as defined and bounded by dashed lines, marked “Sanitary Sewer and Drainage Easement”, together with the right of ingress and egress over all lots to and from the easements, for construction, operation, maintenance of sewers and drains over, under and across said land. No permanent structure of any kind shall be placed on, over or under the land which is subject to said easements. The easements shall be for the benefit of the land in the subdivision and other land which naturally drains therein, and said sewers and drains may be constructed by the City of Scottsburg, the Scott County Regional Sewer District, or by any other public agency having legal authority for such construction, or by others subject to the approval by the aforesaid sewer district.

OWNERS: _____

Certificate of Reservation of Water Line Easement

Permanent easement(s) for water lines and appurtenances are hereby reserved on, over, under, and through the strips of land as defined and bounded by dashed lines marked “Water Company Easement” together with the right of ingress and egress over all lots to and from the easement(s) for constructing, repairing, removing, replacing, relocating, reconstructing, maintaining and enlarging of water mains. No permanent structure of any kind shall be erected or the grade of the surface of the land changed within the said easement(s) without prior written consent of the parent water company. Fences, shrubbery, and gardens, and gardens may occupy easement area at the owner’s risk. Temporary rights are hereby reserved to use land adjacent to the permanent easement(s) herein granted for storage and movement of excavated earth, rock, construction materials, tools, and equipment during construction of said water lines.

OWNERS: _____

Certificate of Reservation of Drainage Retention Basin Easement

Easement for drainage and ponding purposes are hereby reserved on and over the land and spaces as defined and bounded by dashed lines, marked “Drainage Retention Basin Easement”, together with the right of ingress and egress over all lots to and from the easements, for construction, operation, maintenance and reconstruction of retention basins and other drainage improvements. No permanent structure of any kind shall be placed on or over the land within said easements, except for drainage structures, pavements and landscape planting. The easements shall be for the benefit of the land in the subdivision and additional drainage improvements may be constructed by any public agency having legal authority for such construction.

OWNERS: _____

Certificate of Approval

Approved this _____ day of _____,
_____.

By: _____
Scott County Area Plan Commission

Approval subject to attached Certificates.

Special requirement(s): _____
Docket Number _____

Certificate of Residual Land

- (1) If the total extent of the land being subdivided, cannot reasonably be shown on the plat, because of its size, the following statement may be used:

The residual land of tract _____ herewith being subdivided is in a single parcel of _____ acres designated as tract _____ and has frontage of _____ feet on _____ which is (are) (a) public way(s).

Land Surveyor signature

(Signature on Surveyor's Certificate is acceptable)

- (2) If the total extend of the land being consolidated cannot reasonable be shown on the plat because of its size, the following statement may be used:

Tract _____, a parcel of land herewith being conveyed, will become a part of tract _____, a single parcel of _____ acres which has frontage of _____ feet on _____ which is (are) (a) public way(s).

Land Surveyor signature

(Signature on Surveyor's Certificate is acceptable)

Zoning Certificate

This certificate must be signed by the owner(s) of all property shown on the plat.

I/We hereby certify all of the lots of this subdivision and any existing buildings and improvements thereon and/or any buildings and improvements included in a building permit either applied for or approved thereon are in compliance with all the provisions of the Zoning District Regulations. Any such buildings or improvements not in compliance with the Zoning District Regulations have been granted all necessary variances by the Board of Zoning Adjustment as described in Docket No. _____ or documentation of the existence of the buildings or improvements prior to the adoption of the Zoning District Regulations has been accepted by the Planning Commission staff as valid evidence of their non-conforming status.

Owner(s) Signature

(If the last sentence is not applicable, "N.A." should be placed in the space after ".....Docket _____.")

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ARTICLE 10

ENFORCEMENT

10.1 Duties of enforcement officer

The enforcement officer, with the assistance of the officials of other departments of the city and county having jurisdiction, is hereby authorized and directed to enforce all provisions of these regulations; to review plans and specifications; to issue permits and certificates; to conduct inspections; and to perform such other services as may be necessary to execute the provisions of these regulations.

10.2 Right of entry

Upon representation of his official credentials, the enforcement officer, or his deputies, may enter during reasonable hours any premises covered by these regulations to perform the duties imposed upon him by these regulations.

10.3 Stop orders

Upon notice from the enforcement officer that any subdivision is being constructed contrary to the provisions of these regulations or contrary to any approved plans, being maintained contrary to the provisions of these regulations, such violations shall be stopped immediately. Notice shall be in writing and shall

be given to the owner of the property or his agent, or to the person so developing the property, and shall state specifically the regulation or approved plan being violated. Said notice may be given by registered mail to the person so developing the property after two reasonable effort personally to serve the notice have failed.

10.4 Citations

Any person or entity who fails to stop use immediately as required by Section (1) hereof shall be issued a citation for such violation.

10.5 Penalties

(A) Any person or entity who violates any of these regulations, or any order of an enforcement officer, or any restriction or condition imposes pursuant to these regulations shall be fined not less than \$10.00 nor more than \$500.00 for each violation. Each day of violation shall constitute a separate offense.

(B) Any person, owner or agency who self or purports to sell land constituting a subdivision without an approved plat shall be fined not less than \$100.00 nor more than \$500.00 for each lot or parcel which was the subject of the sale of transfer or contract for sale or transfer.

ARTICLE 11

FEE SCHEDULE

Subdivision fees have been set by the Commission as follows.